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SUBJECT: G/TIP VISIT: COMBATTING TIP ON A HALF TANK OF GAS

REF: A) DUSHANBE 1319; B) DUSHANBE 1263

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¶1. (SBU) SUMMARY: During a November 30 - December 1 visit, G/TIP Tajikistan desk officer Megan Hall and emboffs met government officials and representatives of NGOs and IOs to discuss Tajikistan's progress in addressing trafficking in persons and forced labor during the cotton harvest. Government officials outlined numerous Tajik initiatives to Combat TIP, but funding for the initiatives is limited. Tajik Consuls, the Ministry of Health, and the Ministry of Interior have directly assisted TIP victims and investigated cases, but their capacity is limited by chronic funding shortages and high staff turnover. After the President's decree banning employment of child labor in the cotton harvest, schools remained open through the picking season, unlike in previous years. However, NGOs report that there have been cases of teachers forcing children to pick cotton. Local officials have also directed government employees, including doctors and teachers, to work in the fields during harvest. Government officials underscored Tajikistan's commitment to combat TIP and highlighted the President's public order to end child labor, but denied that any forced labor problem exists in the country. END SUMMARY

TIP VICTIMS: THERE AND BACK AGAIN

¶2. (SBU) Russia, and to a lesser degree Kazakhstan, continue to be the primary destinations for Tajik labor migrants, although the government is seeking additional labor agreements with potential destination countries, including Saudi Arabia, according to IOM Country Director Zeinal Hajiyeve. Hajiyeve predicted that these efforts to diversify would be largely unsuccessful as Tajik migrants are not well placed to compete for foreign jobs outside the Russian sphere due to lack of education and language skills. Saudi Arabia, Turkey, Dubai and the Gulf States remain destinations for Tajik women trafficked for sexual exploitation. Tajik consuls abroad, particularly in Dubai, have worked with IOM to identify TIP victims and facilitate repatriation, although a lack of funding and resources limit the ability of Tajik overseas missions to assist victims. (The GOTI expects the Consulate in Dubai to fund its own operations based on its income from visa fees.) When Tajik Consuls repatriates TIP victims, IOM pays for the ticket.

¶3. (SBU) Staff of an IOM-managed, INL-funded shelter for TIP victims told Hall that they have a productive relationship with the Tajik Consul in Dubai, who contacts them to arrange assistance in Dushanbe when repatriating a victim. (These victims often come to the Consul's attention through raids conducted by the Dubai police). However, shelter staff report that the State Committee on National Security (GKNB) immediately investigates victims at the airport upon their return to

Tajikistan. Because victims first learn of the shelter from the GKNB, many get the impression that it is affiliated with the security services and refuse assistance. According to ILO specialist Firuz Sattarov, many victims also believe if they stay in the shelter, they will acquire a public stigma as prostitutes. The shelter assisted 21 victims in 2009 but currently houses no trafficking victims. Shelter staff want to meet victims on the airport tarmac to provide guidance before they encounter security officials. Ideally, victims would first move into the shelter before any interview with officials takes place and have the option to refuse the interview entirely. INL is seeking to extend funding of the shelter until August 2010. USAID plans to begin a competitive bid process to identify and fund an implementing partner to run the shelter after INL funding expires.

14. (SBU) IOM received no reports of abuse of TIP victims by security officials in 2009. Hajiyevev noted that one victim residing at the shelter was called by the GKNB for an interview in the middle of the night. IOM intervened and the GKNB agreed to interview the victim during the day. Hajiev noted that the GKNB conducts investigations for many types of criminal cases at night. Lack of sensitivity in working with TIP victims remains a problem. Many lower-level security officials continue to view TIP victims as prostitutes, despite numerous training sessions by IOs, NGOs, and the GOTTI. OSCE TIP officer Graziella Piga reports that when government officials were asked during a training session how they identify a TIP victim, one Police Academy Instructor responded, "She wears mascara, high heels, and a short skirt."

15. (SBU) In addition to Consuls, the Ministry of Health and an IOM-funded TIP-hotline Victims refer victims to the shelter.

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However, according to Piga, the "national hotline" consists of the regular office cell phone of one IOM-staffer and the general phone number of the police. Although the OSCE sponsored the travel of senior government officials to study referral mechanisms in Serbia and Macedonia, Inter-Ministerial Commission Secretary Adham Abdulloyev told Piga that there is no need for a new referral system as the current system functions well. Shelter Staff said the Inter-Ministerial Commission advised them on victims' legal cases, but has not provided the shelter with monetary or in-kind assistance.

16. (SBU) Hajiyevev noted that the Tajik Migration service has several offices in Russia, but added that many migrants consider it a police structure rather than a victim-assistance mechanism because it is under the MVD. He said that it was not clear who was the government's "main player" on TIP. Although the Inter-Agency Commission was mandated to manage anti-TIP activities, the GKNB regularly acted on its own without coordinating with the MVD; the MVD asked IOM to intervene with the GKNB to request that it refer more cases to the MVD for investigation. Hajiyevev also expressed appreciation for the INL-funded TIP training courses IOM provided from June to July 2009. (NOTE: Seven sessions, totaling 200 Tajiks, focused on practical steps for law enforcement personnel. Attendees included 84 Ministry of Interior representatives, 20 judges, 38 prosecutors and 11 law students.)

MINISTRY OF INTERNAL AFFAIRS TIP UNIT: OUT OF GAS

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17. (SBU) The MVD's Anti-TIP division is led by Colonel Alikhon Mulloyev and staffed with 14 officers, with affiliates in all 4 regions of the country. Mulloyev underlined that trafficking in persons is a major concern to Tajikistan, along with drug and weapons trafficking. The Unit opened four cases under criminal article 130.1, Trafficking in Persons, in 2009. (Tajikistan prosecutes most TIP-related crimes under other statutes, including 130.2, "false recruitment". The GOTI reports 22 prosecutions of TIP-related cases in the first half of 2009). Mulloyev recognized the sensitivities of working with TIP victims, adding that he would like to hire additional female officers to assist victims of sexual exploitation.

18. (SBU) The Unit is limited, however, by poor provision of funding and resources. Mulloyev said that the Unit appreciated the training provided by the USG, but that with one government car assigned for all 14 officers in the country, it was very difficult for the Unit to investigate cases. The Unit's weekly fuel allotment for this vehicle is 20 liters of petrol, enough to fill half a tank. The allotment per operation to pay informers is 10-50 somoni (2-12 dollars). For any field investigation, officers must pay transportation costs out of pocket. There is no computer in Mulloyev's office. Another challenge is high staff turnover. Only four Unit officers have been on the job more than two years. Mulloyev asked if the Embassy could write a diplomatic note asking the Ministry of Interior to appoint more experienced officers to the Unit and keep them there.

COTTON: SCHOOL REMAINS OPEN, BUT CASES OF FORCED LABOR CONTINUE

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19. (SBU) G/TIP officer met with representatives of three NGOs, the Bureau for Human Rights (BHR), Center for Human Rights (CHR), and Imran, to discuss trafficking and forced labor in the 2009 cotton harvest. All three monitored the use of child and forced labor in the harvest and will release reports in early 2010. President Rahmon banned the use of child labor in an April, 2009 decree, and denounced the practice in his national address. "We didn't think there would be cases of child labor because of the President's decree," according to BHR Director Nargis Zokirova, "but children are still being taken out to the fields. They just do it on the weekend." Unlike in years past, local officials have not closed schools during the harvest. While child labor is still employed in many areas, it occurs outside of school hours.

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110. (SBU) Monitors reported several cases of coercion by school officials. In the Khatlon region, a teacher told children that if they did not participate in the cotton harvest, they should bring in a few kilograms of cotton as their contribution, according to Zokirova. "Not every family can afford to buy cotton, so the children had to go out and pick it." Teachers in the small town of Pakhtabad, near the Uzbek border, told students that the President ordered them to pick cotton at the end of the season. They threatened some children with expulsion if they did not comply. Zokirova said that local administrators involved in the cotton business are likely acting to protect their cotton investments. Since many adult men are in Russia, they continue to illegally conscript child labor and government employees.

111. (SBU) Imran representatives concurred that the practice of

forced labor still occurs, because "local officials don't get the message that they are not supposed to compel people. They didn't gather enough cotton in time, so now they compel everyone." As the government continues to set region-specific quotas for cotton cultivation, these officials resort to forced labor to meet their targets. Imran staff suggested that it is easy to compel Tajiks to pick cotton, even when there is no direct threat, because they recall the repercussions for refusal in years past. Individuals forced to pick cotton do not complain to the government or NGOs because of the widely held notion that the work is indeed mandatory. CHR confirmed that local officials have deployed state employees, including doctors and teachers, to harvest cotton for 10-15 day periods. NGOs called for the government to prosecute officials in such cases to set a precedent that forced/child labor will not be tolerated. Although authorities prosecuted three teachers for employing child labor during the 2008 harvest, these cases received little media attention.

¶12. (SBU) On a positive note, the government's 2008 "Freedom to Farm" decree, which called for allowing farmers to plant any crop they wished, may have contributed to the estimated 20% drop in land used for cotton production in 2009. Overall, the use of forced child labor is down from past years due to the official ban. IOM's request to monitor the 2009 cotton harvest and verify implementation of President Rahmon's ban on employment of forced child labor finally received government approval in mid-November, according to IOM Country Director Hajiyeu, but this approval at the tail end of the season was too late for IOM to deploy a monitoring mission. IOM will try to reach an agreement with the Tajik government to begin monitoring next year from the start of the harvest. INL will coordinate with IOM to discuss possible USG funding of this initiative.

TIP COMMISSION: LET'S TALK ABOUT TIP, BUT NO FORCED LABOR HERE

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¶13. (SBU) In a 45 minute introductory statement, Adham Abdulloyev, secretary of the TIP commission and member of the President's apparatus, told Hall that President Rahmon made TIP a top priority, and outlined Tajikistan's efforts to combat TIP, most of them rhetorical. Tajikistan has ratified over 20 conventions regarding TIP and labor issues, created the 22-member Inter-Agency Commission, facilitated TIP training of 12 Afghans by NGO "Imran" at Tajik National University (TNU), is creating a course on TIP at TNU (with support from IOM and INL), facilitated training of 220 officials in 2009 (conducted by IOM, OSCE, and NGOs), issued a 37-page report on the government's anti-TIP efforts, and is establishing a new database to compile statistics on TIP cases.

¶14. (SBU) Hall advised Abdulloyev that G/TIP is closely following developments in three areas: government complicity in trafficking, level of victim-access to assistance, and the use of forced labor in the cotton harvest. On government complicity, Abdulloyev said that "our President is seriously addressing the issue. If such a case occurs, the offender is immediately punished. A special body oversees the activities of government employees. So far this year there has not been such a case, but once reported, such cases will be thoroughly investigated."

¶15. (SBU) On victim access to assistance, Abdulloyev noted that there are currently USG-funded, IOM-managed, shelters in

Dushanbe and Khujand. The Tajik government hopes to build additional shelters "when the economic situation improves." The Ministry of Health established eight support rooms to provide medical and psychological support for victims of TIP and domestic violence. Abdulloyev said that the Commission will include statistics on victims assisted by the Ministry of Health in its next report.

¶16. (SBU) On forced labor during the cotton harvest, Abdulloyev reiterated the President's ban and the Ministry of Education's decree banning the practice. He said that the President has directly relayed the order to local officials via phone. He admitted that officials used forced child labor until "two or three years ago", but not this year and said that there is "no problem" with the IOM monitoring the harvest in 2010. Poloff noted that there continue to be reports of forced child and adult labor, despite the President's ban. Abdulloyev said that all labor in the cotton fields is voluntary as "in eastern countries there are traditions for the whole community to come together. If someone is forced or threatened with administrative punishment, these cases will be prosecuted, but we haven't heard of such cases." He said that additional information on the fall harvest would be included in the 2009 report and declared "we are in favor of open and direct communication (with the USG)."

¶17. (SBU) In a separate meeting with the members of the TIP Commission, including first Deputy Foreign Minister Yuldashev (Reftel A) and Deputies of the Ministry of Justice, GKNB, and MVD, Hall raised the same concerns of government complicity, victims access, and forced labor. Commission members said that there have been no cases of official involvement in trafficking in 2009. Yuldashev said that Tajik media would have reported such cases and claimed that "our government agencies don't hide anything." (NOTE: In the Russian language newspaper "Business and Politics", there have been reports of forced adult labor in Khatlon and Sughd). He concluded, "I must say that complicity of government officials has not been detected... Maybe because of poor performance of our law agencies and maybe because it actually didn't happen."

¶18. (C) Yuldashev declared that forced labor did not occur in the cotton sector because "we didn't pick any cotton this year. What is 253,000 tons? In the Soviet days, we picked one million! This year we didn't force anyone because there was no cotton to pick, but if someone wanted to voluntarily participate they could do it for good money." Yuldashev concluded that the problem was not forced labor in the cotton sector, but not enough cotton grown. "We must grow cotton. It is our wealth. If we could produce one million tons of cotton again, everyone would have work and there would be no trafficking in persons. Some people my age think that someone is against Tajik cotton, maybe a competitor." GKNB and MVD Deputy Ministers said that there were no cases of local officials forcing individuals to pick cotton. Yuldashev declared that "forced labor is not a problem in Tajikistan" and directed his staff to re-circulate the Ministry of Education's directive on child labor to local officials. He said that the reports of forced adult labor in Sughd and Khatlon was "bad information." None of the Commission members, including Yuldashev, were aware of the IOM's proposal to monitor the 2010 harvest, or the government's apparent approval of the monitoring.

¶19. (SBU) On assistance to TIP victims, Yuldashev said "the government would work with this category of victims according to our financial ability. We don't hide the phenomena of trafficking of our women or pretend that everything is fine. Security officials ensure that when victims return they are not re-victimized" (apparently referring to allegations made in 2007

by three victims who claimed to have been assaulted by GKNB officers). Yuldashev repeated the government's commitment to combat TIP and engage the USG on TIP initiatives. Hall expressed appreciation for the GOTI's actions to combat TIP, but reminded Yuldashev that the USG is interested in real implementation of Tajikistan's anti-TIP policies, including identification of victims and vigorous prosecution of both traffickers and officials employing forced labor.

¶20. (SBU) COMMENT: High-level GOTI officials consistently respond positively to engagement by the Embassy, particularly INL, on anti-trafficking projects and consistently argue that, given Tajikistan's budgetary difficulties, the government has exerted considerable political will towards combating TIP. At

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the working level, government efforts are often hamstrung by the insensitivity of security officials, lack of resolve to prosecute officials, and a lack of funds. High-level officials do not consider forced labor during the cotton harvest a TIP issue, but the government has made an effort to reduce the use of forced child labor through public decrees, though it is clear that some local officials continue to pressure children and adults to pick cotton. The denials by members of the TIP Commission that such practices occur underlines the need to encourage the government to allow the IOM to monitor the 2010 harvest from the start of the season. A more complete picture of forced labor during the 2009 harvest will be available after NGOs release their monitoring reports. END COMMENT  
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